

FILED
UNITED STATES DISTRICT COURT CLERKS OFFICE
DISTRICT OF MASSACHUSETTS

FIRST, LLC, a Delaware Limited Liability Company,

Plaintiff,

v.

TIMOTHY MCARTHUR,

Defendant.

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FILED
APR 20 2005

Civil Action No.
DISTRICT OF MASS.

05-10544-JLT

~~[PROPOSED]~~ STIPULATED ORDER ON EX PARTE APPLICATION FOR
TEMPORARY RESTRAINING ORDER

Upon the Verified Complaint, the Memorandum in Support of Ex Parte Application for Temporary Restraining Order and Expedited Discovery, the Affidavit of Irwin B. Schwartz, and pursuant to the agreement of FIRST, LLC and Timothy McArthur and for good cause shown, it is hereby ORDERED that:

1. A Temporary Restraining Order immediately shall issue, and the defendant, his officers, agents, servants, employees, attorneys, and those persons in active concert or participation with him, shall not publish NASCAR® Racing 2003 Season source code or any derivative thereof. Plaintiff may notify defendant and others potentially subject to the Temporary Restraining Order by electronic mail delivery of copies of this Order and the Temporary Restraining Order in PDF and TIFF file formats, followed by service by certified United States mail to such recipient's last known address.

2. The hearing on Plaintiff's Motion For Preliminary Injunction shall be held on April 25, 2005 at 11⁰⁰ o'clock. (if NECESSARY)
Dated: March , 2005

SO ORDERED,

James D.
J. 4/1/05

Respectfully submitted,

Timothy McArthur
Timothy McArthur, Pro Se

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